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09/636,232	08/10/2000	Fred S. Cook	1454	6963

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EXAMINER

RAMPURIA, SHARAD K

ART UNIT PAPER NUMBER

2683

DATE MAILED: 02/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/636,232

Applicant(s)

COOK, FRED S.

Examiner

Sharad Rampuria

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-8, 15-28, & 35-40 are rejected under 35 U.S.C. 102 (e) as being anticipated by Emery et al.

1. Regarding claim 1, Emery disclosed A method of registering a user with a communication system (Abstract), the method comprising:

in a user device (MC; 22; Fig.2; Col.11; 54-62), receiving a user registration input, and in response, automatically transferring call tones to a telephone to initiate a telephone call and transferring user identification tones over the telephone call;

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in a control system (ISCP; 50; Fig.2; Col.12; 34-55), answering the telephone call and receiving the user identification tones and a location indicator, and in response, processing the user identification tones and the location indicator to transfer a route instruction to direct communications for the user to a communication device associated with the location indicator. (Col.16; 15-30)

2. Regarding claim 2, Emery disclosed The method of claim 1 wherein transferring user identification tones over the telephone call comprises:

in the control system, transferring answer tones over the telephone call in response to answering the telephone call; (Col.17; 5-17) and

in the user device, receiving the answer tones over the telephone call, and in response, automatically transferring the user identification tones over the telephone call. (Col.16; 31-41)

3. Regarding claim 3, Emery disclosed The method of claim 1 wherein transferring the user identification tones over the telephone call comprises waiting for a time period after transferring the call tones for the telephone call to be established and then transferring the user identification tones over the telephone call. (Col.17; 12-18)

4. Regarding claim 4, Emery disclosed The method of claim I wherein receiving the location indicator in the control system comprises receiving Automatic Number Identification (ANT) from a telephone network indicating a telephone number of the telephone. (AIN; Col.16; 15-30)

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5. Regarding claim 5, Emery disclosed The method of claim I wherein receiving the location indicator in the control system comprises:

in the control system, transferring location request tones over the telephone call if Automatic Number Identification (ANT) is not available; (manual registration procedure; Col.16; 15-20)

in the user device, receiving the location request tones, and in response, indicating to the user that input of the location indicator is required; and

in the control system, receiving location tones from the telephone representing the location indicator. (Col.17; 1-12)

6. Regarding claim 6, Emery disclosed The method of claim 5 further comprising, in the user device, receiving a user location input, and in response, transferring the location tones to the telephone. (Col.17; 1-12)

7. Regarding claim 7, Emery disclosed The method of claim 5 wherein the location indicator comprises a telephone number of the telephone. (Col.17; 1-12)

8. Regarding claim 8, Emery disclosed The method of claim 1 further comprising:

in the control system, processing the user identification tones and the location indicator to transfer acceptance tones over the telephone call; (Col.17; 5-17) and

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in the user device, receiving the acceptance tones over the telephone call, and in response, indicating successful registration to the user. (announcement; Col.17; 1-12)

15. Regarding claim 15, Emery disclosed A method of operating a user device to register a user with a communication system, the method comprising:

receiving a user registration input in a device controller, and in response, transferring a call signal to a tone generator (DTMF generator) and transferring a user identification signal to the tone generator;

receiving the call signal in the tone generator, and in response, transferring call tones from the user device;

receiving the user identification signal in the tone generator, and in response, transferring user identification tones from the user device; (Col.17; 1-22)

16. Regarding claim 16, Emery disclosed The method of claim 15 wherein transferring the user identification signal to the tone generator further comprises:

receiving answer tones in the tone detector (tone detector), and in response, transferring an answer signal to the device controller; (Col.17; 5-17) and

receiving the answer signal in the device controller, and in response, transferring the user identification signal to the tone generator. (Col.17; 1-22)

17. Regarding claim 17, Emery disclosed The method of claim 15 further comprising:

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receiving acceptance tones in the tone detector, and in response, transferring an acceptance signal to the device controller; (Col.17; 5-17)

receiving the acceptance signal in the device controller, and in response, transferring an indication signal to an indicator; and

receiving the indication signal in the indicator, and in response, indicating successful registration to the user. (announcement; Col.17; 1-12)

18. Regarding claim 18, Emery disclosed The method of claim 15 further comprising:

receiving location request tones in the tone detector, and in response, transferring a location request signal to the device controller;

receiving the location request signal in the device controller, and in response, transferring an indication signal to the indicator; and

receiving the indication signal in the indicator, and in response, indicating to the user that input of a location indicator is required. (Col.17; 1-12)

19. Regarding claim 19, Emery disclosed The method of claim 18 wherein the location indicator comprises a telephone number of the telephone. (Col.17; 1-12)

20. Regarding claim 20, Emery disclosed The method of claim 18 further comprising:

receiving a user location input representing the location indicator in the device controller, and in response, transferring a location signal to the tone generator;

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receiving the location signal in the tone generator, and in response, transferring location tones representing the location indicator from the user device. (Col.17; 1-12)

21. Regarding claim 21, Emery disclosed A communication system for registering a user (Abstract), the communication system comprising:

a user device (MC; 22; Fig.2; Col.11; 54-62) configured to receive a user registration input, and in response, automatically transfer call tones to a telephone to initiate a telephone call, and to transfer user identification tones over the telephone call; and

a control system (ISCP; 50; Fig.2; Col.12; 34-55) configured to answer the telephone call and receive the user identification tones and a location indicator, and in response, process the user identification tones and the location indicator to transfer a route instruction to direct communications for the user to a communication device associated with the location indicator. (Col.16; 15-30)

22. Regarding claim 22, Emery disclosed The communication system of claim 21 wherein: the control system is configured to transfer answer tones over the telephone call in response to answering the telephone call; (Col.17; 5-17)

the user device is configured to receive the answer tones over the telephone call, and in response, automatically transfer the user identification tones over the telephone call. (Col.16; 31-41)

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23. Regarding claim 23, Emery disclosed The communication system of claim 21 wherein the user device is configured to wait for a time period after transferring the call tones for the telephone call to be established and then transfer the user identification tones over the telephone call. (Col.17; 12-18)

24. Regarding claim 24, Emery disclosed The communication system of claim 21 wherein the control system is configured to receive Automatic Number Identification (ANI) from a telephone network indicating a telephone number of the telephone as the location indicator. (AIN; Col.16; 15-30)

25. Regarding claim 25, Emery disclosed The communication system of claim 21 wherein:
the control system is configured to transfer location request tones (Col.17; 5-17) over the telephone call if Automatic Number Identification (ANI) is not available, and to receive location tones from the telephone representing the location indicator; (manual; Col.16; 15-20) and
the user device is configured to receive the location request tones, and in response, indicate to the user that input of the location indicator is required. (Col.17; 1-12)

26. Regarding claim 26, Emery disclosed The communication system of claim 25 wherein the user device is configured to receive a user location input, and in response, transfer the location tones to the telephone. (Col.17; 1-12)

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27. Regarding claim 27, Emery disclosed The communication system of claim 25 wherein the location indicator comprises a telephone number of the telephone. (Col.17; 1-12)

28. Regarding claim 28, Emery disclosed The communication system of claim 21 wherein:
the control system is configured to process the user identification tones and the location indicator to transfer acceptance tones over the telephone call; (Col.17; 5-17) and
the user device is configured to receive the acceptance tones over the telephone call, and in response, indicate successful registration to the user. (announcement; Col.17; 1-12)

35. Regarding claim 35, Emery disclosed A user device for registering a user with a communication system, the user device comprising:

a device controller configured to receive a user registration input, and in response, transfer a call signal and transfer a user identification signal; and

a tone generator (DTMF generator) configured to receive the call signal, and in response, transfer call tones from the user device, to receive the user identification signal, and in response, transfer user identification tones from the user device. (Col.17; 1-22)

36. Regarding claim 36, Emery disclosed The user device of claim 35 wherein:

the tone detector is configured to receive answer tones, and in response, transfer an answer signal to the device controller; and

the device controller is configured to receive the answer signal, and in response, transfer the user identification signal to the tone generator. (Col.17; 1-22)

37. Regarding claim 37, Emery disclosed The user device of claim 35 wherein:

the tone detector is configured to receive acceptance tones, and in response, transfer an acceptance signal to the device controller;

the device controller is configured to receive the acceptance signal, and in response, transfer an indication signal; and further comprising an indicator configured to receive the indication signal, and in response, indicate successful registration to the user. (Col.17; 1-22)

38. Regarding claim 38, Emery disclosed The user device of claim 35 wherein:

the tone detector is configured to receive location request tones, and in response, transfer a location request signal to the device controller;

the device controller is configured to receive the location request signal, and in response, transfer an indication signal; and further comprising

an indicator configured to receive the indication signal, and in response, indicate to the user that input of a location indicator is required. (Col.17; 1-12)

39. Regarding claim 39, Emery disclosed The user device of claim 38 wherein the location indicator comprises a telephone number of the telephone. (Col.17; 1-12)

40. Regarding claim 40, Emery disclosed The user device of claim 38 wherein:

the device controller is configured to receive a user location input representing the location indicator, and in response, transfer a location signal to the tone generator;

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the tone generator is configured to receive the location signal, and in response, transfer location tones representing the location indicator from the user device. (Col.17; 1-12)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-14, & 29-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emery et al. in view of Uranaka et al.

9. Regarding Claim 9, Emery disclosed all the particulars of the claim except the communication device comprises another telephone. However, Uranaka teaches in an analogous art, that The method of claim 1 wherein the communication device comprises another telephone. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises another telephone in order to provide a reliable routing between two devices.

10. Regarding Claim 10, Emery disclosed all the particulars of the claim except the communication device comprises a computer. However, Uranaka teaches in an analogous art, that The method of claim 1 wherein the communication device comprises a computer. (Col.42;

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13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises a computer in order to provide routing the call when telephone not available.

11. Regarding Claim 11, Emery disclosed all the particulars of the claim except the communication device comprises a video terminal. However, Uranaka teaches in an analogous art The method of claim 1 wherein the communication device comprises a video terminal. (Col.43; 28-37) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises a video terminal in order to establish a video communication between two devices.

12. Regarding Claim 12, Emery disclosed all the particulars of the claim except the communication device comprises a facsimile machine. However, Uranaka teaches in an analogous art The method of claim 1 wherein the communication device comprises a facsimile machine. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises a facsimile machine in order to establish a data communication between two devices.

13. Regarding Claim 13, Emery disclosed all the particulars of the claim except the communication device comprises a LAN printer. However, Uranaka teaches in an analogous art that, The method of claim 1 wherein the communication device comprises a LAN printer. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the

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time of invention to include the communication device comprises a LAN printer in order to establish a data communication between two devices.

14. Regarding Claim 14, Emery disclosed all the particulars of the claim except the communication device comprises a network drive. However, Uranaka teaches in an analogous art that, The method of claim 1 wherein the communication device comprises a network drive. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises network drive in order to provide a reliable routing between two devices.

29. Regarding Claim 29, Emery disclosed all the particulars of the claim except the communication device comprises another telephone. However, Uranaka teaches in an analogous art, that The communication system of claim 21 wherein the communication device comprises another telephone. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises another telephone in order to provide a reliable routing between two devices.

30. Regarding Claim 30, Emery disclosed all the particulars of the claim except the communication device comprises a computer. However, Uranaka teaches in an analogous art, that The communication system of claim 21 wherein the communication device comprises a computer. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the

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art at the time of invention to include the communication device comprises a computer in order to provide routing the call when telephone not available.

31. Regarding Claim 31, Emery disclosed all the particulars of the claim except the communication device comprises a video terminal. However, Uranaka teaches in an analogous art The communication system of claim 21 wherein the communication device comprises a video terminal. (Col.43; 28-37) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises a video terminal in order to establish a video communication between two devices.

32. Regarding Claim 32, Emery disclosed all the particulars of the claim except the communication device comprises a facsimile machine. However, Uranaka teaches in an analogous art The communication system of claim 21 wherein the communication device comprises a facsimile machine. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises a facsimile machine in order to establish a data communication between two devices.

33. Regarding Claim 33, Emery disclosed all the particulars of the claim except the communication device comprises a LAN printer. However, Uranaka teaches in an analogous art that, The communication system of claim 21 wherein the communication device comprises a LAN printer. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in

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the art at the time of invention to include the communication device comprises a LAN printer in order to establish a data communication between two devices.


34. Regarding Claim 34, Emery disclosed all the particulars of the claim except the communication device comprises a network drive. However, Uranaka teaches in an analogous art that, The communication system of claim 21 wherein the communication device comprises a network drive. (Col.42; 13-26) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the communication device comprises network drive in order to provide a troubleless communication between two devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is 703-308-4736. The examiner can normally be reached on Mon-Thu. (6:30-4:00) alternate Fri.(6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

SK
February 10, 2003


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